

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Ronald A. Guzman	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	03 CR 472 - 2	DATE	4/20/2004
CASE TITLE	USA vs. ZARAFU		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

## MOTION:

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## DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [ use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> Local Rule 41.1 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry]   ENTER MEMORANDUM OPINION AND ORDER: Defendant's application for appointment of a Romanian language interpreter is granted.
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input checked="" type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	CG	courtroom deputy's initials	APR 21 2004 U.S. DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS 2004 APR 21 AM 7:58	number of notices	Document Number 44
				date docketed	
				docketing deputy initials	
				date mailed notice	
				mailing deputy initials	
Date/time received in central Clerk's Office					

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**United States of America**

**Plaintiff,**

**v.**

**Cristian Zarafu**

**Defendant.**

**03 cr 472**

**Judge Ronald A. Guzmán**

**DOCKETED  
APR 21 2004**

**MEMORANDUM OPINION AND ORDER**

Defendant has filed an application for appointment of Romanian language interpreter. In support counsel both orally and in writing argues that until the hearing on the defendant's motion to quash arrest and suppress evidence, he had been unaware of how difficult it would be to communicate with his client under the pressure of and given the time constraints of an adversarial proceeding. Apparently on the prior occasions counsel was able to fully communicate with his client by speaking slowly and deliberately regardless of the time it took to do so. However, during the evidentiary hearing his client's constant requests for clarification and explanation, some of which apparently the attorney links to the fact that English is his client's second language, distracted counsel from the questions, testimony, and his note taking.

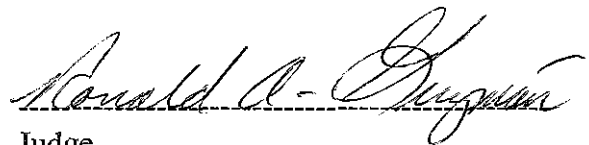
We do not find any evidence to support the contention that the defendant had extreme difficulty understanding the questions asked by lawyers or the answers of the witnesses or statements made by the court at the hearing. Further, the defendant's difficulty was not of such a nature as to cause counsel to bring it to the court's attention during the course of the hearing or to

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ask for an interpreter at that time. From our observations we conclude that clearly the defendant was at times quite agitated by what he heard at the evidentiary hearing and must have understood most if not all of what was said. In addition, the credible testimony received during the hearing established that defendant was quite able communicate in English with law-enforcement officers. Nevertheless, in recognition of the fact that in times of stress communication may be difficult in any language, and in order to facilitate to the greatest extent possible the communication and cooperation between appointed counsel and the defendant, the court will grant the motion. A Romanian language interpreter is hereby appointed for defendant Zarafu.

Enter

4/20/04

A handwritten signature in cursive script, appearing to read "Ronald A. Dugan", written over a horizontal dashed line.

Judge